

**Planning Board**  
**November 9, 2017**  
**7:30 pm**

Members present: Barry Hantman, Chip Current, David Cogswell, Jim Castine, Roger Whitehouse, Scott Borucki-Selectmen's rep.

Excused members: Chris Smith

Others Present: Chris Mallett, Victoria Mallett, George Riley, Monica Riley, Marguerite Guilmette, Stephanie Mills, George Nelson Sr, George Nelson Jr, Sarah Scanlan, Lance Witkins, Charles Coffin, Holly Wright, Charles Wright, Staci O'Connor, Judy Cogswell, Josh Manning, Carsten Springer

Minutes:

Chip made and Jim seconded a **motion to approve the October 26, 2017 minutes as written**. David abstained. The motion **passed**. Regarding the site walk of November 9<sup>th</sup>, Chip mentioned that items 1-3 are not germane to this board. Chip made and Jim seconded a **motion to approve the November 9, 2017 minutes as written**. David abstained. The motion **passed**.

Correspondence:

- A letter from the Heritage Commission regarding the sign to be placed on the corner of Sweet and Main Street.
- From SEC and Associates and their request to continue the hearing regarding the Sullivan subdivision. Chip made and Jim seconded a **motion to grant the 60 day extension**. The motion **passed** unanimously. The hearing will continue on January 11, 2018.
- From NH Division of Historical Resources: nothing of historical significance on the Sullivan property.
- From Pelham regarding a cell tower installation
- Town and City magazine, Oct/Nov edition

Sandown Road/Bob Meaney subdivision

Josh Manning introduced himself as the engineer working on this project. He was told the Board will not be accepting the application tonight since the plans were not in the office ten days prior to the public hearing as outlined in the town regulations. He was told the Board could conduct a preliminary discussion.

Mr. Manning said the proposal is ten rental units along a 24' wide paved private road to be named Roger's Way. There is one wetland crossing at which the existing culvert will be upgraded. There is a cul-de-sac ending with a two-unit building and a driveway leading to two four-unit buildings. There will be an on-site well and two community leach fields.

Barry said he expected the cul-de-sac to be at the end of the road and not the middle. Mr. Manning said the site was reviewed by another engineer and it was concluded that a portion of the property is too steep, thus the road configuration. The road does not have a "9" shape and it will require a waiver even though it is planned to be a private road. It was suggested that the road be laid out at a 90° angle. This can be discussed with the fire department.

The dumpsters for trash and recycling will be privately maintained. A cluster style mailbox will be at the entrance. This will need to be shown on the plans. Article 4, section 8 mentions that two quadplex structures are allowed. Most of the property will be left as open space and the units will be rented.

Parking and the mailbox kiosk will need to be shown on the plans.

Barry asked if the audience had questions.

Charles Coffin mentioned that the last time this property was reviewed for a subdivision there were some problem. He asked about the financial stability of the owners of the property. He was told this is not the purview of this Board. A bond can be requested to cover the town's costs to bring the development to a safe condition should the owner withdraw.

Mr. Coffin said he is opposed to the project and that it will have a negative impact on our taxes. Barry said that any project in town will impact the taxes.

Charles Wright said Sandown Road cannot handle the extra traffic this project will bring. He said Danville does not need apartments. It was mentioned that Sandown Road is one of the larger roads in town and it would be a surprise if it could not handle the additional traffic. The road agent will be involved with driveway permits. Barry said this Board reviews proposals against the town regulations and looks for compliance to those.

Marguerite Guilmette mentioned that the home at 91 Sandown Road was recently constructed and has an empty lot next to it. She said there is no centerline painted in the road and it is very dangerous. She said there are several large and beautiful homes on this road and wondered what type of people will live in small rental units.

Mr. Manning said this is not proposed as workforce housing. There are no town regulations regarding what to charge for rent. He said Mr. Meaney will construct nice looking buildings.

George Nelson asked about the bedroom and square footage for the units. They will be two bedrooms each and approximately 1000 square feet town house style homes.

Lance Wilkins said this property has a lot of wetlands. He's walked the property and it drains onto his property. Chip said that drainage analyses are reviewed by the town engineer. The project is not allowed to create more drainage from the property. Swales and catch basins may have to be made to treat any runoff before it leaves the site.

George Riley asked if this is the final plan. He was answered that it is not. Mr. Riley said that entering Main Street for Sandown Road is particularly dangerous. Chip said that speeding contributes to the danger at this intersection.

Carsten Springer said that there was some concern with the project that was proposed prior to this one regarding the drainage. He mentioned the subterranean flow may be affecting the road.

Mr. Manning said the Conservation Commission will have a chance to review the plans. There is no grading plan yet.

Sarah Scanlon asked why this is proposed as rental apartments. Mr. Manning said he can't speak for the owner about this, except that there is nothing being proposed that is contrary to zoning.

Barry said that Mr. Meaney could consider a 55+ community which would allow certain perks.

Ms. Guilmette asked what guarantees there are that trash will be picked up and the area will be preserved. She was answered that it will have the same guarantee as if single family homes were built there.

Victoria Mallett said they have a new home on Sandown Road and said they would like the neighborhood to remain as it is because they are larger, nicer homes.

Ms. Scanlan asked what recourse is there if the project meets all the regulations and the public is still opposed. Chip said there is very little that can be done. The opportunity is during the meetings in which the regulations are discussed. If someone wants something in particular in zoning, a warrant article can be put on the ballot to make the change. Barry said that if a project meets all of the regulations, the Board has no choice but to approve it. The public hearing process is to ensure that all the rules are followed.

Mr. Springer advised the residents to pay attention. He said he lives on Sandown Road also and serves on town boards. He mentioned the property has been for sale yet no one in the audience tonight bought it. He said to pay attention to the proposed warrants as they're discussed so that an impact can be made before they are implemented rather than making adjustments to them midstream.

It was mentioned that any decision by this Board can be appealed to the Zoning Board and those decisions can be appealed in court.

Jim said that he's dealt with the owner before and vouched that he is not trying to bring in slum and trash to town.

Scott said that this Board ultimately tries to follow the rules set by the people in town and if they don't like the rules, they need to pay attention and change them.

It was agreed to meet on December 14 at 8:15 to vote on the application.

#### Sapphire Woods

A request for another extension was received by this Board. It was mentioned that only two Board members who reviewed the plan originally are still on the Board. Barry said he'd consider an extension to January. The regulations were reviewed. Chip made and Roger seconded a **motion to deny the request for an extension based on Article 3.k of the Subdivision Regulations**. The motion **passed** unanimously.

#### Zoning Ordinance Warrant Articles

Chip said that he and Carsten had met to review the regulations pertaining to the Highway, Commercial, and Light Industrial zone and the Danville Village District, specifically to create a sign ordinance that would be more attractive to potential commercial entities. He gave the example of the current zoning which does not allow any lighted signs, causing anyone who wants a lighted sign to seek an audience with the Zoning Board for a variance. He said there are currently some signs in the village district that do not conform to zoning.

There was a discussion about the part of town along route 111, and if they are developed, would have nothing to do with the character of the town because they would be removed from the main portion of town. The Board also spoke about the height of signs and with the state setback required along route 111, the trees within the setback, the height allowance for signs along 111 should be 35'. The proposed ordinance was revised as follows:

*To see if the town of Danville will vote to amend the Danville Zoning Ordinance to update the signage allowed in the Danville Village District and the Highway Commercial Light Industrial Zone, to increase the permitted size and type of signage to help promote business development. Specifically, this would modify Article VII.D.4 and VII.D.8 and add VII.D.9 to read:*

4. Electronic signs of any type shall be prohibited throughout the Town of Danville, except in the Highway Commercial Light Industrial Zone. This prohibition includes, but is not limited to: moving, fluttering, or flashing signage.
8. Within the Danville Village District, the following provisions shall apply;

- a. Except as noted elsewhere in this Ordinance, no sign or groups of signs shall exceed thirty-two square feet (32 ft<sup>2</sup>). One such sign shall be permitted per commercial and/or retail unit. Except as noted elsewhere in this Ordinance, no other signage shall be permitted.
  - b. Multiple unit commercial developments shall substitute a single sign for all units in the development instead of individual signage for each unit. This signage for the development shall not exceed twenty feet (20') in height and ten feet (10') in width, and, in no case, shall the sign exceed thirty-two square feet (32 ft<sup>2</sup>) per commercial and/or retail unit. One such sign shall be permitted for each Class I through V highway upon which the commercial/retail development has an entrance. Except as noted elsewhere in this Ordinance, no other signage shall be permitted.
  - c. Directional, regulatory and similar signage (e.g., parking, no-parking, entrance, exit, drive-through, shopping cart return) shall be permitted in unlimited quantity provided that each sign does not exceed four square foot (4 ft<sup>2</sup>) and contains no advertising. Such signage shall be permitted in addition to other signage specified in this Ordinance.
  - d. Signage that is mounted flush with the face of the commercial and/or retail building may be permitted and shall be in addition to any other signage specified in this Ordinance. The size of such signage within the Highway Commercial and Light Industrial zone shall not exceed twenty-five percent (25%) of the size of the face of the structure upon which the signage is placed and shall not extend beyond the face of the structure. The size of the signage shall not exceed ten square feet (10 ft<sup>2</sup>) and shall not extend beyond the face of the structure. Roof mounted signs are not permitted.
9. Within the Highway Commercial Light Industrial Zone, the following provisions shall apply;
- a. Signs along all roads other than NH Route 111 and Route 111-A shall be governed by the Danville Village District Sign provisions as laid out in Article VII.D.8
  - b. Except as noted elsewhere in this Ordinance, no sign or groups of signs shall exceed one hundred twenty square feet (120 ft<sup>2</sup>) and the height shall not exceed thirty-five feet (35') in height.
  - c. Directional, regulatory and similar signage (e.g., parking, no-parking, entrance, exit, drive-through, shopping cart return) shall be permitted in unlimited quantity provided that each sign does not exceed four square foot (4 ft<sup>2</sup>) and contains no advertising or as permitted by the Planning Board through site plan review. Such signage shall be permitted in addition to other signage specified in this Ordinance.
  - d. Lighted and electronic signage are allowed in this district including LED, Halogen, Metal Halide, Sodium Vapor, etc, as permitted by the Planning Board through site plan review.

Scott made and Jim seconded a **motion to put this forward to a public hearing on December 14<sup>th</sup>**. The motion **passed** unanimously.

Master Plan updates:

The Board reviewed the suggested edits to the Historic Resources chapter of the Master Plan that were received in a letter dated August 9, 2017 from the Heritage Commission.

It was noted the changes on pages 7-4 and 7-5 put the items in chronological order, and clarify and add information.

Page 7-9 regarding the Eaton School will read that it is located where the Community Center (formerly the Fire Association Hall) is located. It was noted the historic resources map was made by the Rockingham Planning Commission. It should be updated, as well as the headers and the introduction section to reflect the update was in 2017.

There was a short discussion about adding that the Timberlane Capital Improvement plan details can be found either at the SAU or on the website. Chip said he would send a new draft of the Master Plan for printing, in preparation of the public hearing. Chip made and Jim seconded a **motion to bring the suggested edits to a public hearing on December 14<sup>th</sup>**. The motion **passed** unanimously.

At 8:38pm Chip made and Jim seconded a **motion to adjourn**. The motion **passed** unanimously.

Respectfully submitted by  
Janet Denison

Upcoming Agendas:

Thursday, December 14

7:30 pm	Correspondence and minutes
7:40 pm	Public Hearing for Master Plan updates to the Historic Resources, Capital Improvement chapters
8:15pm	Sandown Road/Bob Meaney subdivision
8:30pm	Three Oaks Drive subdivision

## Other ZO Warrant Articles:

### Intent of Hazardous Materials Restriction

1. To see if the town of Danville will vote to modify Article IV.B.3.g of the Danville Zoning Ordinance to clarify the intent of the hazardous materials restriction in the Danville Village District. Specifically, this would modify Article IV.B.3.g to read:

- g. No materials defined as hazardous under 49 USC 5103 will be used or stored on the premises in association with any commercial enterprise in quantities greater than that found in the following table:

Material	Class	Storage			Use - Closed Systems			Use - Open Systems	
		Solid pounds (cubic feet)	Liquid gallons (pounds)	Gas (cubic feet at NTP)	Solid pounds (cubic feet)	Liquid gallons (pounds)	Gas (cubic feet at NTP)	Solid pounds (cubic feet)	Liquid gallons (pounds)
Combustable Liquid	II	N/A	120	N/A	N/A	120	N/A	N/A	30
	IIIA	N/A	330	N/A	N/A	330	N/A	N/A	80
	IIIB	N/A	13,200	N/A	N/A	13,200	N/A	N/A	3,300
Combustable fiber	Loose	{100}	N/A	N/A	{100}	N/A	N/A	{20}	N/A
	Baled	{1000}	N/A	N/A	{1000}	N/A	N/A	{200}	N/A
Consumer Fireworks (Class C, Common)	1.4G	125	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Cryogenics, Flammable	N/A	N/A	45	N/A	N/A	45	N/A	N/A	10
Cryogenics, oxidizing	N/A		45	N/A	N/A	45	N/A	N/A	10
Explosives	Division 1.1	1	{1}	N/A	0.25	{0.25}	N/A	0.25	{0.25}
	Division 1.2	1	{1}	N/A	0.25	{0.25}	N/A	0.25	{0.25}
	Division 1.3	5	{5}	N/A	1	{1}	N/A	1	{1}
	Division 1.4	50	{50}	N/A	50	{50}	N/A	N/A	N/A
	Division 1.4G	125	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Division 1.5	1	{1}	N/A	0.25	{0.25}	N/A	0.25	{0.25}
	Division 1.6	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Flammable gas	Gaseous	N/A	N/A	1,000	N/A	N/A	1,000	N/A	N/A
	Liquefied	N/A	30	N/A	N/A	30	N/A	N/A	N/A
Flammable liquid	1A	N/A	30	N/A	N/A	30	N/A	N/A	10
	1B and 1C	N/A	120	N/A	N/A	120	N/A	N/A	30
Combination flammable liquid (1A, 1B, 1C)	N/A	N/A	120	N/A	N/A	120	N/A	N/A	30
Flammable solid	N/A	125	N/A	N/A	125	N/A	N/A	25	
Organic peroxide	Unclassified								
	Detonable	1	{1}	N/A	0.25	{0.25}	N/A	0.25	{0.25}
	I	5	{5}	N/A	1	{1}	N/A	1	{1}
	II	50	{50}	N/A	50	{50}	N/A	10	{10}
	III	125	{125}	N/A	125	{125}	N/A	25	{25}
	IV	Not Limited	Not Limited	N/A	Not Limited	Not Limited	N/A	Not Limited	Not Limited
Oxidizer	V	Not Limited	Not Limited	N/A	Not Limited	Not Limited	N/A	Not Limited	Not Limited
	4	1	{1}	N/A	0.25	{0.25}	N/A	0.25	{0.25}
	3	10	{10}	N/A	2	{2}	N/A	25	{2}
	2	250	{250}	N/A	250	{250}	N/A	50	{50}
	1	4,000	{4,000}	N/A	4,000	{4,000}	N/A	1,000	{1,000}
Oxidizing gas	Gaseous	N/A	N/A	1,500	N/A	N/A	1,500	N/A	N/A
	Liquefied	N/A	15	N/A	N/A	15	N/A	N/A	N/A
Pyrophoric material	N/A	4	{4}	50	1	{1}	10	0	0
Unstable (reactive)	4	1	{1}	10	0.25	{0.25}	2	0.25	{0.25}
	3	5	{5}	50	1	{1}	10	1	{1}
	2	50	{50}	250	50	{50}	250	10	{10}
	1	Not Limited	Not Limited	Not Limited	Not Limited	Not Limited	Not Limited	Not Limited	Not Limited
Water reactive	3	5	{5}	N/A	5	{5}	N/A	1	{1}
	2	50	{50}	N/A	50	{50}	N/A	10	{10}
	1	Not Limited	Not Limited	N/A	Not Limited	Not Limited	N/A	Not Limited	Not Limited

### Lot 2-74 Description

2. To see if the town of Danville will vote to amend the Danville Zoning Ordinance Article III.E. to change the description of lot 2-74 to read:

descendants, town dignitaries and officials dating to 1817.

#### Amend Zoning Map

3. *To see if the town of Danville will vote to update the Official Zoning Map, Town of Danville to include lot 4-3-1 in the Manufactured Housing Zone. This lot was inadvertently omitted from the 2017 warrant article which specified the lots in this Zone.*

#### Remove Setback Restrictions of Abutting Septic Systems

4. *To see if the town of Danville will vote to amend the Danville Zoning Ordinance Article VII.C.1. to remove the setback restrictions of septic systems from dwellings other than to that which it serves. Specifically, to read:*  
No cesspools, septic tank or sewerage disposal area shall be constructed or maintained less than seventy-five feet (75') from the edge of a public water body or from a well.

#### Specify Boundary of Residential Zone

5. *To see if the town of Danville will vote to amend the Danville Zoning Ordinance to add paragraph III.F to specifically specify the boundary of the Residential zone. Specifically, this would add section III.F as follows:*
  - F. Residential/Agricultural  
The location of said district is defined to be all areas of the town not contained in the other districts/zones defined in this article.